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CONSCIENCE AND LAW.

A

DISCOURSE

PREACHED IN THE

NORTH CHURCH, PORTSMOUTH,

NEW HAMPSHIRE,

ON

FAST DAY, APRIL 3, 1851.

BY

RUFUS W. CLARK,

PASTOR.

BOSTON:  
TAPPAN & WHITEMORE.

PORTSMOUTH:  
SAMUEL A. BADGER.

1851.

T. J. Whittem, Printer.



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## DISCOURSE.

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### ROMANS XIII, 1, 2.

Let every soul be subject unto the higher powers. For there is no power but of God : the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God ; and they that resist shall receive to themselves damnation.

### ACTS IV, 19.

But Peter and John answered and said unto them, Whether it be right in the sight of God, to hearken unto you more than unto God, judge ye.

THESE passages of Scripture bear directly upon a question of vital importance, which for some months past has deeply agitated the community. Nor is it among the least of the peculiarities of this question, that it has, in a certain sense, two right sides. It is right for every man to obey the dictates of an enlightened conscience ; and it is the duty of every citizen to yield obedience to human governments. The fact that these general propositions are undeniably true, and yet in their application to a recently enacted obnoxious law, apparently antagonistic, has surrounded the question of "conscience and law" with many difficulties, called forth a great deal of angry discussion, and arrayed even good and able men in hostility to each other. We have had discourses, speeches and newspaper articles innumerable, upon the supremacy of divine government, and our duty to obey God rather than man ; and we have had as many, if not more, inculcating implicit obedience to human laws in general, and the fugitive slave law in particular. Writers have denounced "conscience" as an unsafe guide, and at the same time have virtually appealed to conscience to induce the community to obey even wicked laws. Pulpit has been arrayed against pulpit, and press against press. Grave divines and patriotic statesmen have labored to

reconcile the claims of God and the U. S. Constitution. Christianity, which commands that "every soul be subject unto the higher powers," and which enforces obedience to rulers by severe penalties, is found, at the same time, to have been the most formidable enemy that bad governments have encountered during the last eighteen centuries. In spite of the declaration of St. Paul, "Whosoever therefore resisteth the power, resisteth the ordinance of God; and they that resist shall receive to themselves damnation," Christianity has shaken the despotic kingdoms of Europe to their very centre, has hurled tyrants from their thrones, has forced free principles into the British constitution, has severed this nation from its allegiance to a foreign power, and erected on this soil free institutions that are disturbing by their direct and indirect influence every system of oppression upon the globe.

He whose mission it was to calm the angry passions of men, and who has said, "Blessed are the peacemakers," has also said, "I came not to send peace, but a sword."

These apparently conflicting principles it will be our purpose to attempt to reconcile, and we hope to show that we may be obedient to God and true to the dictates of humanity, without infringing in the least degree upon the soundest patriotism, and the highest reverence for human law.

With the extremes of fanaticism on this question we have nothing to do. And while we would not force into the ranks of the ultra slavery supporters, that large class of respectable citizens who have felt themselves called upon to make speeches and preach discourses in favor of sustaining the Union, and rendering implicit obedience to human laws; we would at the same time protest against the disposition that not a few persons have manifested, to class with disunionists and rebels those masses of our citizens who are conscientiously opposed to the fugitive slave bill. If the anathemas, which have been so freely hurled from the pulpit and the press, have been aimed against these opponents of the law as disunionists and traitors, then these writers have been fighting a man of straw. If, on the other hand, this expenditure of acute logic and fervid eloquence

has been called forth by the ultra factions to which reference has been made, then are the threats and power of these factions entitled to more consideration than we have been accustomed to give them. They have suddenly reached a position of influence and power, to which we never dreamed they would attain.

Not a little of the opposition that has been manifested against this bill, has grown out of a love for the Union, grown out of an honest and intense patriotism. Multitudes are looking upon it as a measure that is leveling the heaviest blows against the stability of our Union; that is impairing and wasting away that love of country, for which American citizens have been in past times, so distinguished. They are in the position of persons standing around a magazine of powder in which there is a torch burning, and who demand for the safety of all, that the fire be extinguished. Besides, if men cannot make a free and honest expression of their opinion of the laws of the land without being accused of holding views that they have never entertained; if proper measures for the repeal of an odious law cannot be adopted without the cry of treason being raised, and if heaven and earth are to be searched for influences and forces to stifle the promptings of humanity and religion, then are we all under a system of despotism that even the autocrat of Russia could not desire to have improved.

The disposition of some good and many bad men to decry "conscience," is a feature of this discussion that deserves attention.

It has been for many years the special design of our best systems of education, secular and religious, to purify and enlighten the public conscience—to render men sensible of their obligations to God, and sensitive under every species of wrong. It is by no means an antiquated doctrine, that on the virtue, integrity and conscientiousness of this people depend the stability of our Union, the supremacy of our laws, and the prosperity of our nation. We have been taught to regard a high degree of conscientiousness as a virtue rather than a fault; as a mark of mental strength, deserving of respect,

rather than a weakness, calling forth the pity of others. But if the views of some of our eminent statesmen and religious teachers are to prevail, then conscience is destined no longer to enjoy its high reputation. If it is moved or agitated at a view of the horrors of American slavery, or leads one to hesitate to lay violent hands on a panting and trembling fugitive, it is to be made the butt of ridicule and the theme of pious, not impious, jests. Already do we find the terms "conscience" and "higher law" used by a time-serving and venal press, to bring into contempt that class of our community who are under the influence of moral principle, humane feelings and an honorable patriotism.

In former years, when "conscience" enjoyed the respect of the community, a distinguished statesman used with reference to it the following language\* :—

"Conscience \* \* \* \* prepares the mind to act and to suffer beyond almost all other causes. It sometimes gives an impulse so irresistible that no fetters of power or of opinion can withstand it. History instructs us that this love of religious liberty, a compound sentiment in the breast of man, made up of the clearest sense of right and the highest conviction of duty, is able to look the sternest despotism in the face, and with means apparently most inadequate to shake principalities and powers. If the hand of power be laid upon it, this only seems to augment its force and elasticity, and to cause its action to be more formidable and terrible. Human invention has devised nothing, human power has compassed nothing that can forcibly restrain it when it breaks forth. Nothing can stop it but to give way to it : nothing can check it but indulgence. It loses its power only when it gains its object."

Most potent truths, most potently uttered ! Nor will the conscience of this nation, in regard to the right of all to be free, "lose its power" until it has "gained its object." Men may turn around and ridicule that principle which they formerly so much venerated ; but this very ridicule will clothe conscience with a more intense and terrible power. It will then be most emphatically true that "*human invention has devised nothing, human power has compassed nothing that can*

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\* Webster's Speeches, Vol. I. p. 29, 8th Edition.

*forcibly restrain it.*" Those who suppose that the American mind and the American conscience are to be controlled or influenced by contempt, have fallen into an egregious error. Those who would stifle conscience and shatter the moral sentiment of the community, must aim their blows at our schools, churches, literature, and the various means that are employed to elevate the intellectual and moral character of the people. They must effect an entire change in our education, habits of thought and religious sentiments, before their work is accomplished. If conscience becomes once enlightened and active, we may say of it as the eloquent statesman just referred to has said of the spark of liberty if once kindled—"It will burn. Human agency cannot extinguish it. Like the earth's central fire, it may be smothered for a time; the ocean may overwhelm it; mountains may press it down; but its inherent and unconquerable force will heave both the ocean and the land, and at some time or another, in some place or another, the volcano will break out and flame up to heaven."

In considering the relations of conscience to human law, we would lay down the following propositions:—

1. That there are duties that we owe to God, and duties that we owe to our fellow men.
2. That there is somewhere a line of separation between these two classes of duties.
3. That when our obligations to the divine government come into collision with human laws, we are solemnly bound to obey God rather than man.
4. That an enlightened christian conscience is our guide in all the duties of life, religious, civil and social.

These propositions, which, under the light of christian ethics, we might regard as axioms, have, to some extent, at least, been called in question. In some of the numerous speeches and discourses which have been sent to us for our edification, we have found the right of private judgment in civil matters denied, the idea of the supremacy of conscience repudiated, and the authority of God acknowledged only as enforcing obedience to human law. We have found, too, a vast deal of sophistry

under the garb of logic, empty declamation designed for fervid eloquence, and the most cold-hearted inhumanity under the head of patriotism. American citizens have been exhorted to stifle the finest feelings of their nature, ignore the dictates of conscience, and obey God by bowing their necks in silent submission to the fugitive slave law. In commenting upon the command, "Render unto Cæsar the things that are Cæsar's, and to God the things that are God's," the latter part of the injunction has been almost entirely overlooked, and the attempt made, to force upon us the belief, that all things are Cæsar's.

We allow that it is not so easy to draw the line between these two classes of duties, and yet, in the spirit of christian honesty and a sincere patriotism, we should be willing to make the attempt.

All will admit that Christ and his apostles, in laying down rules for human conduct, have given us general, rather than specific commands. In interpreting them we are bound to look at the spirit as well as the letter, and to consider their mutual relations as well as the bearing of each particular injunction. For example, if we take the command, "Submit yourself to every ordinance of man for the Lord's sake," literally, as some writers have done, it proves too much—proves that *every ordinance* which human governments may enact, even such as forbid christian worship, and command that divine honors be paid to idols, must be obeyed. Enforce it to the very letter, and you must condemn the three Jews who refused to bow down and worship the golden image which Nebuchadnezzar had set up. You must pronounce their solemn declaration, "Be it known to thee, O King, that we will not serve thy gods, nor worship the golden image which thou hast set up," as open rebellion. You must condemn Daniel for disobeying the ordinance of King Darius, and persisting in going to his chamber, and, with his window open, kneeling upon his knees three times a day, and praying and giving thanks to God, "as he did aforetime." For the law of the Medes and Persians was as sacred and unchangeable as the constitution of

the United States, and agitation was as much to be feared in Babylon, as it now is in the city of Boston. You must condemn, also, Peter and John for not obeying the Jewish Sanhedrim, who had commanded them not to speak at all, nor to teach in the name of Jesus." You must regard their reply to the "proper authorities" as containing the very essence of rebellion; for they answered, "Whether it be right in the sight of God to hearken unto you more than unto God, judge ye; for we cannot but speak the things that we have heard and seen." You must commend the course and applaud the patriotism of Judas for obeying the following ordinance (John xi. 57): "Now both the chief priests and Pharisees had given commandment that if any man knew where he [Christ] was, he should shew it, that they might take him." This law the other apostles had too much "conscience" to obey. They were unable to so far "conquer their prejudices," and blunt their sense of right and justice, as to discharge this "disagreeable duty;" although Peter did succeed, after Christ was arrested, in denying in *an emphatic* manner that he had any thing to do with this disturber of the peace. But Judas, with an alacrity worthy of some of his successors, fulfilled to the very letter his "constitutional obligations." Having heard of the law, "he went unto the chief priests, and said unto them, What will ye give me, and I will deliver him unto you? And they covenanted with him for thirty pieces of silver." In fulfilling his agreement you will observe that he proceeded with great exactness "according to the law." If he knew where Christ was, he was simply "*to shew it*," that he might be taken. He was not called upon to use any force or violence himself. The "disagreeable duty" was made as agreeable as possible. He was simply to indicate by a sign which of the company was Christ, and the soldiers, who had come armed to execute the law, would attend to the rest. And if any conscientious person at that time had charged him for this act with being "the son of perdition," and asserted that "the devil had entered into him," he would have been materially aided in his reply, by language which is used in reference to the binding

authority of human law, in several of the recent *Thanksgiving* (!) sermons which have been published.

From these, and other instances which we might adduce, it is evident, that in interpreting and expounding the teachings of the Bible, we are to exercise our reason and common sense, comparing precept with precept, and deducing from the whole instruction to guide us in all the duties of life. The Gospel, while it teaches submission to every ordinance of man, also teaches submission to every ordinance of God; and Christianity, while it is the most powerful supporter of good governments, is, at the same time, the most formidable foe of bad governments that the world has ever seen.

But we hasten to point out the relations of conscience to human and divine government. And we start with this general proposition :—

1. Human governments are of divine appointment, and hence are entitled to our respect and obedience. This truth is clearly stated and enforced by St. Paul in his epistle to the Romans, xiii. 1. “The powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God; and they that resist shall receive to themselves damnation. For rulers are not a terror to good works, but to the evil.” In his epistle to Titus, iii. 1, he says—“Put them in mind to be subject to principalities and powers, to obey magistrates, to be ready to every good work.” St. Peter enforces the same duty—1st Epistle, ii. 13, 14—“Submit yourselves to every ordinance of man for the Lord’s sake; whether it be to the king, as supreme; or unto governors, as unto them that are sent by him for the punishment of evil doers, and for the praise of them that do well.” Christ, the highest authority, says—“Render therefore unto Cæsar the things that are Cæsar’s.”

In these and other passages we find the doctrine which we have laid down, stated in an explicit and unqualified manner. The divine origin of government is presented as the ground of our obedience, and severe penalties are threatened against those who resist “the powers that be.”

What shall be the *form* of the government, whether a monarchy, an oligarchy, or a republic, is not stated. Whether we are in France under Louis the Sixteenth, or Napoleon Bonaparte ; or in England under Charles the First, or Oliver Cromwell ; or in America under George the Fourth, or President Washington ;—we are equally bound to “submit to every ordinance of man, for the Lord’s sake.” This is the *general* law. The inspired writers do not stop to give us any exceptions, nor to instruct us how to demean ourselves in times of revolution, or when a usurper takes the throne, or when a “reign of terror” is established, and a Robespierre seizes the reins of government, or when wicked laws are passed,—such as Nebuchadnezzar, King Darius, King Herod, and afterwards the Scribes and Pharisees enacted—such as the bloody Charles the Ninth, of France, and the bloody Mary, of England, established—and such as the American Congress has recently enacted. Our conduct in such circumstances is left to be regulated by the dictates of a sound judgment and an enlightened conscience. If these are not to be our guides, pray let those who are so zealous in undermining the “right of private judgment” tell us by what we are to be governed ! Let us see what light we can get from these teachers. A distinguished Presbyterian divine, of Brooklyn, N. Y., says, on the authority of the passages of Scripture that we have cited, “The texts before me are His [God’s] law. If one man has a moral right, either cunningly to evade, or openly to violate law, under such pleading, then another man has the same right to violate *another* law, and thus any villany on earth may be perpetrated under the sacred names of ‘conscience’ and ‘the higher laws of God.’ Nothing is safe in the hands of men of such principles. These principles undermine the foundation of *all society among men* !”

Another Doctor of Divinity says, “A man has no more control over the law, so as to take upon himself to say whether it ought to be obeyed or not, after it is once passed, than he has over his own sign-manual when he has given it to a bond or deed of conveyance ; and no more under a republican than

under the most despotic form of government.” Another clergyman, in Maine, says, “Over all such [foreigners and natives] servants and minors, as well as others, the sceptre of this nation stretches, and requires obedience. Nor is there any room for hesitancy, for conflict, or collision here. The constitutionality or unconstitutionality of any given law of our National Congress is not left to the judgment of any state or any individual. Private opinion is not the tribunal to decide any such questions.” We might quote other passages of a similar character. Now imagine this doctrine, as thus stated, read in the hearing of the mother of Moses, as she is hiding her infant son from the cruel laws of Pharaoh, or in the hearing of Shadrach, Meshach and Abednego, as they are walking in the fiery furnace for disobeying the laws of their king, or in the hearing of Daniel while in the den of lions for disobedience, or read to the wise men who, after having searched diligently for “the young child,” disobeyed the king’s orders to return, and “departed into their own country another way,” or read to Peter and John when they were forbidden to preach in the name of Christ; what reply would they have made? Would they not have said, “Whether it be right in the sight of God to hearken unto you more than unto God, judge ye.”

It is plain, therefore, that there are exceptions to the general rule laid down by the Apostles—that there is a dividing line beyond which obedience to man would be treachery to God. On which side of this line the fugitive slave law lies, we shall consider hereafter. We are at present concerned with general principles, and we would contend as earnestly as any one for obedience to civil enactments. We would have human laws respected, revered, obeyed. We would have every American citizen “render unto all their dues; tribute to whom tribute is due; custom to whom custom; fear to whom fear; honor to whom honor.” But we would not take any one precept or principle of the Bible, and run it to such extremes, as to ride over the consciences and moral sense of the community. We would not be so full of zeal to “honor the king,” as to utterly neglect to “fear God.”

We have said that *the form* of government was not prescribed in the Scriptures. We may add that the doctrine so earnestly advocated in Europe and by tyrants generally, of the "divine right of Kings," is far from receiving any sanction from the Bible. This doctrine has for ages been made use of to perpetuate one form of civil government, to enforce the most unjust and cruel laws under the sanction of religious authority, and to denounce the spirit of revolution as impiety and atheism. In the time of Henry VIII., Cranmer maintained the position "that God had immediately committed to Christian princes the whole cure of all their subjects, as well concerning the administration of God's word for the cure of souls, as concerning the ministration of things political." James I. planted himself upon this doctrine, and frequently alarmed his parliament, and enraged the people, by his arrogant claims to supreme and unlimited authority. Bishop Horsely and the philosopher Hobbes wrote with great zeal in favor of the divine right of kings, and maintained that those who resisted them were guilty of rebellion against God. This principle, we readily see, closed the door against all improvement in government, condemned every Christian patriot who conscientiously refused to yield to the unjust requirements of despotism, and branded every revolution as an outbreak of impiety.

The opposite doctrine, that government is destitute of all divine authority, and rests solely upon the social compact into which subjects have entered for mutual protection and advantage, is also, in my view, erroneous. The idea is here, that we voluntarily surrender certain rights for the better security of other rights, and that our obligations to obey the laws grow out of the contract into which we have entered. Under this theory, the existence of government itself depends upon the votes of the people, and it can reach their consciences only so far as they have given to it their personal and voluntary sanction. Such a basis for government all must allow is too insecure, fluctuating and weak, to secure the ends of civil authority. But admit that government is a divinely appointed

institution, and that men are bound to render allegiance to the civil power as a religious duty, and you, at once, place government upon a firm basis. You establish it upon the same foundation, upon which the institutions of marriage and the church, rest—and secure for it the support of all who conscientiously regard the will and authority of God.

2. Human government grows out of the nature and condition of man, and is indispensable to the welfare of society. The Creator, having made us social beings, and rendered our highest happiness dependent upon our living in communities rather than in an insulated state, it is obvious that there must be certain principles of action, to which we all must conform. There must be laws to define the rights and protect the lives, property and reputation of each subject; to encourage industry, promote education, defend virtue, and bring criminals to justice. Without just and wholesome laws, society, in any desirable state, could not exist. No progress could be made in civilization, in knowledge, in the development of man's intellectual and moral powers. And in a community where there is the highest reverence for just laws, and a disposition manifested to protect the rights and interests of all the subjects, there we find the highest state of civilization. There the arts flourish, trade increases, commerce is extended, institutions of learning are established, and the greatest number of the comforts and blessings of life are enjoyed by the greatest number of the people. But break down the laws of a nation, and the reign of anarchy is at once established. Selfishness, in its worst form, becomes the ruling passion in each breast. Liberty is crushed. Property and life have no security. The fountains of happiness are dried up, and wretchedness becomes the portion of society. Even those who bid defiance to law, and break away from all the restraints of government, are forced to frame one for themselves. Thieves and pirates must organize and enact their laws with penalties, else they could accomplish nothing. We readily see, therefore, that the maintenance of law, lies at the foundation of all our blessings, civil, social and religious. And in a country like

ours, where we must depend for obedience to the law upon the consciences of the people, rather than upon physical force and standing armies, it is of the first importance that reverence for law be held inviolable. Every blow that is struck against this reverence, falls, in fact, upon the government, and puts in jeopardy the stability of our institutions, and the highest interests of the nation. Nor could our government pursue a more suicidal course, than to enact such laws as tend to lower the standard of reverence for law. To array itself against the consciences of the people, is to occupy a position of vast responsibility and peril. For in proportion as conscience is weakened, its dictates trampled in the dust, its solemn voice silenced, in the same proportion does the government lose its power. Its right arm is palsied, when conscience ceases to be the guide of the people. Did our government rest upon bayonets, and were we under a system of military despotism, the case would be different. But in a christian republic like ours, the integrity of conscience and the stability of the government stand or fall together. The latter cannot exist a day without the former. As well might a despot array himself against his body-guard, or a Napoleon rush upon his own soldiers, as for our government to bid defiance to the conscience of the nation.

It is obvious that if conscience is weakened on one point, it is weakened on all points. The standard of morality is lowered, and the very existence of our institutions is endangered. Professor Park, in his recent eloquent and able Election Sermon, very justly says—"There is also a present danger, that, for the purpose of making men obedient to law, they will be encouraged to disown the authority of their moral sense; but this is a suicidal policy, for when men are encouraged to trifle with their moral sense in one sphere, they will soon do it in every sphere of life, and thus disregard its injunctions of obedience to the civil law." Besides, let the "right of private judgment" be denied, and we must fight over again the battles of the Reformation. We must struggle anew for the very principle for which the Protestant Church so long contended against the Papal authorities of Europe—a principle

which is the very essence of civil and religious liberty.

The eminent statesman, from whom we have already quoted, used, some years since, the following language in reference to the point before us :—

“The subject [slavery] has not only attracted attention as a question of politics, but it has struck a far deeper-toned chord. It has arrested the religious feeling of the country ; it has taken strong hold *on the consciences of men*. He is a rash man indeed, and little conversant with human nature, and especially has he a very erroneous estimate of the character of the people of this country, who supposes that a feeling of this kind is to be trifled with or despised. It will assuredly cause itself to be respected. It may be reasoned with, it may be made willing. I believe it is entirely willing to fulfil all existing engagements and all existing duties. \* \* \* But to coerce it into silence, to endeavor to restrain its free expression, to seek to compress and confine it, warm as it is, and more heated as such endeavors would inevitably render it, should all this be attempted, I know nothing, even in the Constitution or the Union itself, which would not be endangered by the explosion which might follow.”\*

Mark this language. Ponder over it. Test its truth by reason, facts, and experience. Let the whole nation listen to the earnest, truthful words of one of its most distinguished and eloquent statesmen. He says seriously, emphatically, that, if conscience is coerced into silence, if the endeavor is made “to restrain its free expression, to seek to compress and confine it, warm as it is, and more heated as such endeavors would inevitably render it,” he knows “*nothing, even in the Constitution, or in the Union itself, which would not be endangered by the explosion which might follow.*”

3. We are prepared now to remark, that while human government is of divine appointment, and is essential to the very existence of society, yet it has no power *to require its subjects to commit sin*. To this position, I presume, every good man will cordially assent. There can be no dispute as to the general statement that government has no authority *to compel us to do wrong*. Our first and highest duty is that which we owe to God. His government has the first claim to

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\*Webster's Speeches, Vol. III, p. 144.

our regard and our obedience. The greatest of all legislators has said, "Thou shalt love the Lord thy God with all thy heart, and with all thy soul and with all thy mind. This is the first and great commandment. And the second is like unto it. Thou shalt love thy neighbor as thyself. On these two commandments hang all the law and the prophets." Any human law, therefore, that conflicts with either of these two great enactments, cannot be binding upon the consciences of men. To maintain the contrary of this, is to attempt to overthrow the government of Heaven. It is to place human constitutions above the Constitution of God's moral universe. It is to value the union of these states, above the Union of the millions of worlds, that comprise the Kingdom of the Supreme Lawgiver and Judge.

But the question arises, who is to decide as to whether any particular human law is right or wrong? This is indeed the *important question*, in the controversy before us. Let us look at it carefully. Let us inquire whether there is a tribunal before which the question can be safely tested and satisfactorily settled. Shall the law-makers decide it? But to leave it to them, is virtually to admit their infallibility, and to give up the point at issue. Shall we trust the matter with judges and juries in a court of law? We may respect their decisions, but our relations to the Divine Government imperatively demand that we decide the question for ourselves. *Our guide must be an enlightened conscience.* We must decide neither rashly, nor hastily, nor under the influence of prejudice or passion, but in the fear of God, and conscious of our responsibility to him, for the faithful discharge of our civil duties. And here I would remark, that among all the *Christian* writers that I have met with, who, in discussing this question, have denied the right of private judgment, I have not found one who, in the course of his reasoning, has not fully acknowledged it. Under the influence of zeal to sustain or apologize for a particular obnoxious law, they have rashly taken positions, from which, in other parts of the controversy, under the light of God's truth, they have been glad to retreat. I might cite

from these writers, instances, of the most palpable contradictions—contradictions which these good men are not conscious of making, but into which they fall from carelessly making statements under the influence of one class of ideas or truths, without considering at the time their bearing upon other classes of truths.

But those who persist in denying all right of private judgment, I would ask, if a man is not to follow the guidance of an enlightened conscience, what shall he follow? If his reason and judgment and sense of right and wrong are not to govern him, pray, what shall govern him?

Two years since, the supremacy of conscience in the discharge of our civil and religious duties, would not have been called in question by a single respectable writer in our country. And it is only because this viceroy of Heaven's King in the soul, stands in the way of the extension and perpetuity of an enormous evil, that wicked men are designing to shatter it, and some good, but deluded men, are laboring to smother its dictates.

What say the wise and patriotic of past ages upon this principle? John Adams, writing to his son John Quincy Adams, in the year 1782, says:—

“Your conscience is the minister plenipotentiary of God Almighty in your breast. See to it that this minister never negotiates in vain. Attend to him in opposition to all the courts in the world.”

John Calvin, in speaking of the limitation of our duty to human government, remarks:—

“In the obedience which we have shown to be due to the authority of governors, it is always necessary to make one exception, and that is entitled to our first attention—that it do *not* seduce us from our obedience to Him, to whose will the desires of all kings ought to be subject, to whose decrees all their commands ought to yield, to whose majesty all their sceptres ought to submit. And, indeed, how preposterous it would be for us, with a view to satisfy men, to incur the displeasure of Him on whose account we yield obedience to men! The Lord, therefore, is the King of kings; who, when he hath opened his sacred mouth, is to be heard alone, above all, for all, and before all; in the next place, we are subject to those

men who preside over us ; but no otherwise than in Him. If they command any thing against him, it ought not to have the least attention ; nor, in this case, ought we to pay any regard to all the dignity attached to magistrates ; to which no injury is done when it is subjected to the unrivaled and supreme power of God."

Jonathan Edwards the younger, whose logical skill, profound learning and deep piety no one will dispute, lays down the following principles :—

" Peter says, in his first epistle, ' Submit yourselves to every ordinance of man for the Lord's sake ; whether it be to the king, as supreme ; or unto governors, as unto those that are sent by him.' It ought to have been translated, ' Submit yourselves to *every creature of man*,' for so it is in the original. So that the apostle here declares all civil rulers, whether supreme or subordinate, to be ' creatures of men.' But if they be the creatures of men, surely men have a right to resist or even to unmake and annihilate them, if they rule not according to the will of God and the good of the subject. \* \* \* The truth is, and the whole spirit of Scripture sustains it, that rulers are bound to rule in the fear of God, and for the good of the people ; and if they do not, then in resisting them we are doing God's service."—[Works, vol. ii. pp. 244-5.]

President Wayland thus disposes of the whole question. In his elements of Moral Science, p. 366, speaking of unrighteous laws, he says :—

" *Passive obedience*, in many cases, would be manifestly wrong. We have no right to obey an unrighteous law, since we must obey God at all hazards."

He then discountenances "*Resistance by force*," and recommends "*Suffering in the cause of right*."

Let us listen to the opinion of Robert Hall :—

" The limits of every duty must be determined by its *reasons*, and the only ones assigned *here* [Romans xiii.], or that *can* be assigned, for submission to civil authority, are its *tendency to do good* ; wherever, therefore, this shall cease to be the case, submission becomes absurd, having no longer any rational view. But at what time this evil shall be judged to have arrived, or what remedy it may be proper to apply, Christianity does not decide, but leaves to be determined by an appeal to natural reason and right."

Professor Hodge, in his comments on Romans xiii. says :

“ The obedience which the Scriptures command us to render to our rulers is not unlimited ; there are cases in which disobedience is a duty. This is evident, first, from the very nature of the case. The command to obey magistrates is, from its nature, a command to obey them as magistrates in the exercise of their rightful authority. They are not to be obeyed as priests or as parents, but as civil rulers. \* \* \* No command to do any thing morally wrong can be binding ; nor can any which transcends the rightful power of the authority whence it emanates. What that rightful authority is, must be determined by the institutions and laws of the land, or from prescription and usage, or from the nature and design of the office with which the magistrate is invested. The right of deciding on all these points, and determining where the obligation to obedience ceases, and the duty of resistance begins, must, from the nature of the case, rest with the subject, and not with the ruler. The Apostles and early Christians decided this point for themselves, and did not leave the decision with the Jewish or Roman authorities. Like all other questions of duty, it is to be decided on our responsibility to God and our fellow men.”

We might, did our limits allow, cite many other authorities equally clear and decisive.

But it is admitted by many who sustain the fugitive slave bill, that in matters of religious worship, we are not bound by the restraints of human government, while in all other respects, there is no course left to us, but that of active obedience to the civil law.

Were our religious duties confined to acts of worship, and were we able to meet all the requirements of God by adoring and praising Him, this proposition would be a correct one. But is it true, that after we have worshipped God, we are bound on the authority of the Bible to render blind and implicit obedience to every human law ? Suppose that I am living under a government that enacts two laws, one requiring me, under heavy penalties, to abandon christian worship, and bow down to idols,—and the other requiring me, under heavy penalties, to aid in putting chains upon a panting fugitive, and returning him to a cruel and unjust bondage. We will suppose that, as a conscientious man, I have adopted as the

rule of my life, the two great laws which Christ laid down, requiring me to love God supremely, and my neighbor as myself. I have also, we will suppose, clear and discriminating views of my civil duties, of the importance of sustaining human government, of the evils of rebellion, and the horrors of a state of anarchy. I am no fanatic, no rebel, no disunionist. I love my country, I reverence law, I believe that government is of divine appointment, and that "whosoever resisteth the power, resisteth the ordinance of God, and they that resist shall receive to themselves damnation." This is my political creed—orthodox enough surely. But what shall I do? Shall I neglect christian worship, and bow down to idols? All Christendom thunders out, No. The most furious and ultra supporters of slavery and the fugitive slave bill say, No. But why? Is not this an ordinance of man, and am I not bound to submit to *every* ordinance of man for the Lord's sake? But I am told that this is contrary to the law of God, and that when human laws contravene the Divine Law, the latter must be obeyed. Then there is a "higher law," is there? In accordance with this advice, I continue my christian worship, and refuse to bow down to the idols. But as I am passing out of the church, where I have solemnly renewed the dedication of myself to God, and among other petitions, prayed that I may do good unto all men, and love my neighbor as myself, I encounter an officer, who commands me to aid him in fastening chains upon a man whose only guilt is, a love of freedom. I have been taught to believe that man could not hold as property his fellow man, that slavery is a sin, that God abhors it. I have conscientious scruples in relation to this matter—"prejudices," if you please to term them such, which I cannot "conquer." I have just heard in the church, perhaps, a solemn exposition of the following passages of Scripture—"Then shall he say to them on the left hand, Depart from me, ye cursed, into everlasting fire, prepared for the devil and his angels. For I was an hungered, and ye gave me no meat; I was thirsty, and ye gave me no drink. I was a stranger, and ye took me not in; naked, and ye clothed me

not; sick and in prison, and ye visited me not. Then shall they also answer him saying, Lord, when saw we thee an hungered, or athirst, or naked, or sick, or in prison, and did not minister unto thee? Then shall he answer them, saying, Verily I say unto you, inasmuch as ye did it not to one of the least of these, ye did it not to me. And these shall go away into everlasting punishment." I am struck with the application of the passage to the present case: a poor christian servant, hungry, thirsty, a stranger in this free state; poorly clad; sick from fatigue; on his way to prison. What shall I do? Shall I leave my religion in the church, and aid in fastening on the chains? Shall I go to politicians for advice? The Lord deliver me from their standard of religious duty! Shall I go to some editors of newspapers, a self-constituted ecclesiastical hierarchy, who are dictating to churches what they must do, and to clergymen what they must preach? Shall I go to some Doctors of Divinity, whose "politics and the pulpit" is of that innocent kind, that will neither endanger the Union, disturb the slumbers of the most ambitious aspirant for the presidential chair, nor provoke the wrath of the most noisy pro-slavery demagogue in the country? These men are indeed prepared to afford me relief. They deny to me the "right of private judgment" in the case. They declare that the laws of the land are supreme. They are prepared to reason away all scruples of conscience, and solemnly urge me to discharge "*the disagreeable duty.*" *Shall I do it?* With God, and His angels, and millions of freemen as witnesses, shall I put on the chains, and sink a fellow man into the depths and horrors of southern slavery? *The heavens and the earth shall pass away first.* With the Bible in my hand, and christian vows on my lips, and christian hopes in my heart, I cannot do this great wickedness and sin against God. I can endure the penalty. I can submissively *suffer wrong*, but no earthly power can compel me, or any other man, to *do wrong*. I will offer no forcible resistance to the officers of government. But to obey their orders in this case would be treason against conscience, against humanity, against justice, against God.

But let us look at the course which christians, in different periods of the world, have pursued when human laws have conflicted with the Divine Law. Soon after the establishment of christianity, its converts, as well as other citizens, were commanded to enlist in the army, and march against the enemies of their country. This was not a case of worship, but one calculated to test the application of conscience to other matters. These early christians had before them the solemn injunctions of the Apostles, in reference to the duties that we owe to civil rulers. But we find that they regarded war as contrary to the principles and precepts of the Gospel, and consequently refused to fight. For nearly three centuries, while the purity of the christian religion was preserved, this sentiment was avowed and maintained by the champions for the truth. Justin Martyr, Clemens of Alexandria, Tatian, Tertullian, Cyprian, and a multitude of others, declared that no christian could lawfully bear arms. They took the ground that the followers of the Prince of Peace could under no circumstances be justified in using "the implements of war;" and Origen informs us, that in a part of the Roman army, consisting of several legions, "not a christian could be found."

So conscientious were these christians on this point, that they preferred to suffer the penalty rather than violate "the higher law." Some chose martyrdom even, rather than obey the law requiring them to fight. "Maximilian, as related in the Acts of Ruinart, was brought before the tribunal to be enrolled as a soldier. On the pro-consul's asking his name, Maximilian replied, 'I am a christian, and cannot fight.' It was however ordered that he should be enrolled; but he refused to serve, still alleging that he was a christian. He was immediately told that there was no alternative between bearing arms and being put to death. But his fidelity was not to be shaken. 'I cannot fight,' said he, 'if I die.' He continued steadfast to his principles, and was consigned to the executioner."\*

Marcellus, a centurion in the legion called Trajana, while

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\*See Peace Manual, p. 164, &c.

holding his commission became a christian, and believing with others that he could no longer consistently engage in war, threw down his belt at the head of his legion, and declared that he would serve no longer. He was committed to prison, yet remained steadfast to his christian principles. "It is not lawful," he said, "for a christian to bear arms, for any earthly consideration," and he was in consequence put to death.

We might cite other instances of a similar character, in which martyrdom was preferred to a violation of conscience.

In Germany, in the time of Luther—in France, in the time of Calvin—and in England, in the time of the Puritans—we have abundant evidence of the authority of the "higher law."

But we are told that unless we submit to the fugitive slave law, we endanger the Union. Is it then true that if I, as a conscientious man, prefer to suffer the penalty rather than aid in the execution of this law, that the Union must perish? Is this Union so frail a thing that my sitting quietly six months in a prison, and paying cheerfully a fine of a thousand dollars will shatter it into atoms?

Besides, have we in this matter no other power to fear, but the slave-holding power? Do men dream that satisfying the South will secure the perpetuity of the Union? Is there not a Sovereign over and above all, whose prophet has said, "the nation and kingdom that will not serve thee shall perish; yea, those nations shall be utterly wasted." Shall I not, by committing sin, fear to provoke Him, who by a breath can blast this nation, and number it with the wrecks of other nations that have defied His authority? So called patriots may, by compromising with the tremendous evils of slavery, and silencing the dictates of conscience, and trampling in the dust the Divine Law, imagine that they are thus securing the safety and perpetuity of the nation. But "He that sitteth in the Heavens shall laugh; the Lord shall have them in derision."

I indeed tremble for the Union, and for the same reason that alarmed Thomas Jefferson, when he said, in reference to slavery, "*Indeed, I tremble for my country when I reflect that God is just, and that his justice cannot sleep forever!*"

when, from the fulness of his patriotic heart, he said, "*The Almighty has no attribute which can take side with us in such a contest.*"

In all seriousness, I would ask, are those men who sneer at conscience, and deny to us the right of private judgment, and ignore the Higher Law, atheists? Do they not believe in a God? Do they not believe in a divine moral government, instituted over and above all earthly governments—in a King in whose hands "the nations are as a drop of a bucket, and are counted as the small dust of a balance?"

Still we are told that the continued agitation of this subject will disturb the peace of the country, and endanger the Union. But how is it possible, I would ask, for American slavery and American freedom to come in conflict, and no agitation be produced? How is it possible for us to have on the one hand the tremendous evils of a cruel and disgraceful bondage, and on the other, christian churches, christian schools, and a christian literature, and yet the community remain perfectly calm?

Besides, with all our zeal to extend liberty over Europe, and enlighten the dark portions of the earth, if we cannot seriously discuss the evils that are around us; if we cannot adopt all proper and legal means to secure the enactment of good laws, and the repeal of bad ones; if, when called upon to lay violent hands upon a fellow man, and drag him back to his chains and toil and degradation, we cannot express our objections to doing such a villainous act; if, besides performing this "disagreeable duty" with alacrity, we are required to stop the throbbings of conscience, and stifle any utterances that are struggling to come forth from the humanity and christianity within us,—then are we all slaves, and it becomes us to look to *our own chains*. Then are our enthusiastic boastings of freedom a mere phantasm, our professed sympathy for the oppressed a mockery, and our Declaration of Independence a satire upon American liberty.





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